

**CALENDAR ITEM
C06**

A 1
S 1

08/19/15
PRC 5624.1
M.J. Columbus

AMENDMENT OF LEASE

LESSEE:

Lawrence Joseph Gannon and Patricia Anne Gannon, Trustees of the Gannon Family Trust Declaration of Living Trust Dated December 9, 2005

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 8754 Brockway Vista Avenue, near Kings Beach, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, and one mooring buoy.

LEASE TERM:

10 years, beginning April 26, 2013.

CONSIDERATION:

\$1,949 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Amend the lease to revise the annual rent from \$1,949 to \$1,178; and replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee owns the upland adjoining the lease premises.
2. On April 26, 2013, the Commission authorized a 10-year General Lease – Recreational Use with Lawrence Joseph Gannon and Patricia Anne Gannon, Trustees of the Gannon Family Trust Declaration of Living Trust Dated December 9, 2005. That lease will expire on April 25, 2023.

CALENDAR ITEM NO. **C06** (CONT'D)

3. The Lessee is applying to amend the lease to reflect changes in the impact area surrounding the pier. Based on changes to the impact area, staff recommends that the lease be amended to reflect a revised rent and associated site and location and land description exhibits.
4. The staff recommends that the Commission find that the subject revision to the impact area and annual rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject revision to the impact area and annual rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Authorize the amendment of Lease No. PRC 5624.1, a General Lease – Recreational Use, effective April 26, 2016, to revise the annual rent from \$1,949 to \$1,178; and replace the existing Exhibit A, Land Description and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only); all other terms and conditions of the lease shall remain in effect without amendment.

EXHIBIT A

PRC 5624.1

LAND DESCRIPTION

Two (2) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 6 fractional Section 19, Township 16 North, Range 18 East, MDM., as shown on Official Government Township Plat approved January 29, 1875, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, one (1) catwalk, and one (1) boat lift lying adjacent to that parcel described in that Grant Deed recorded September 29, 1986 in Book 3047 Page 428 in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

PARCEL 2 – BUOY

One (1) circular parcel of land, being 50 feet in diameter, underlying one (1) existing buoy lying adjacent to that parcel as described in said Grant Deed.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared May 26, 2015 by the California State Lands Commission Boundary Unit.



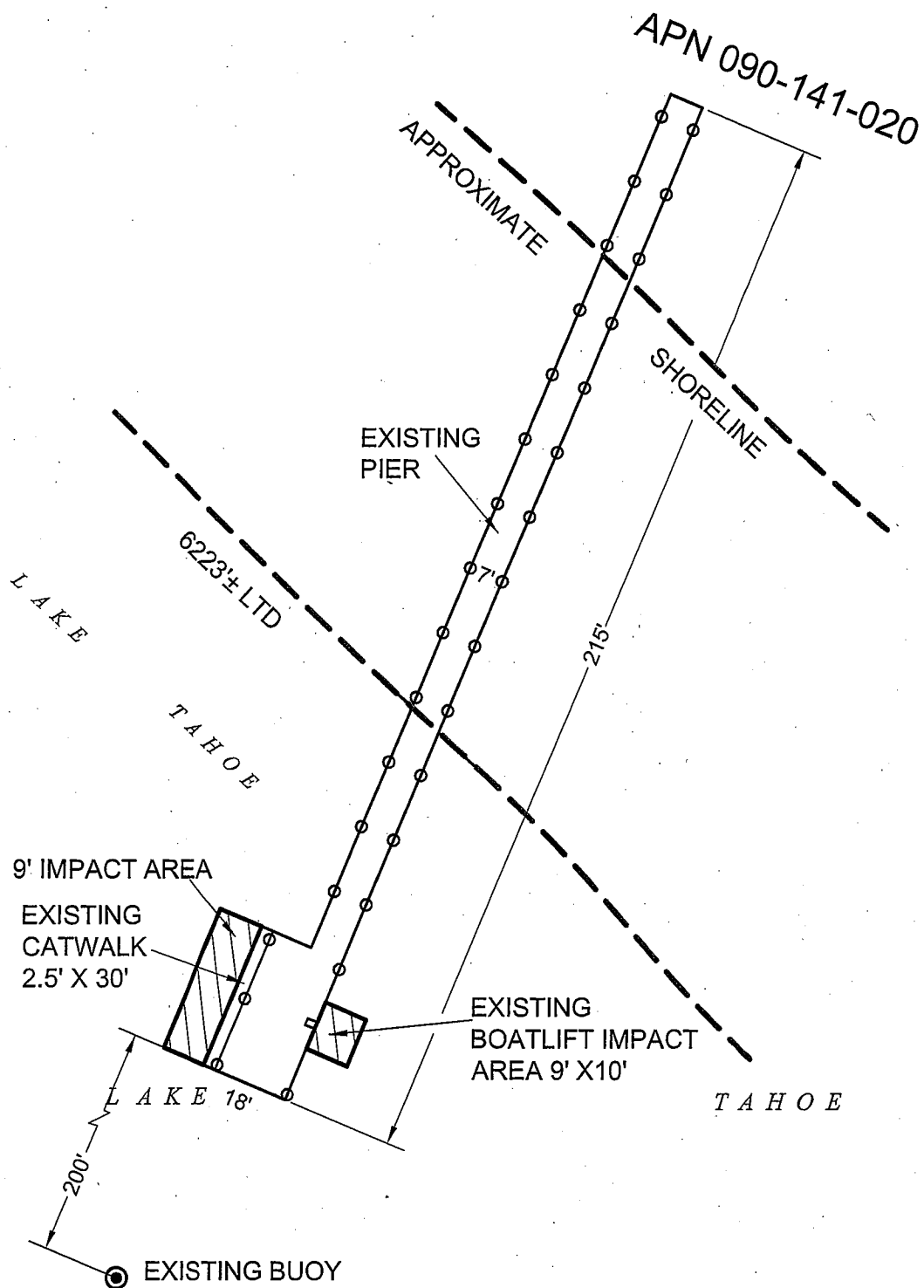


EXHIBIT A

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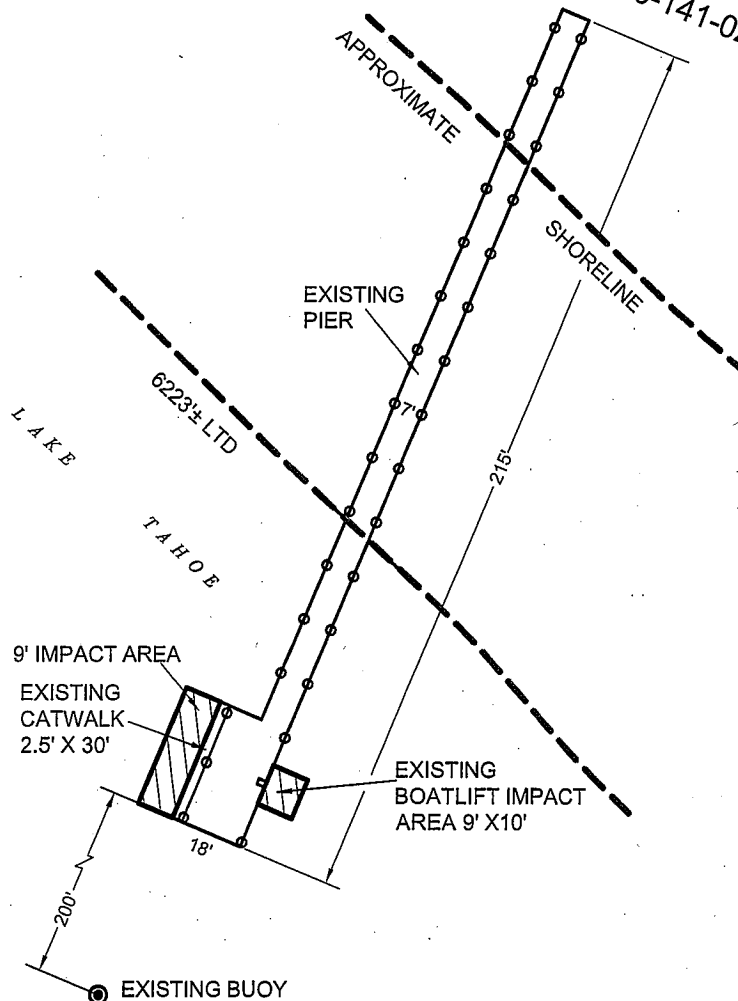
LAND DESCRIPTION PLAT
PRC 5624.1, GANNON
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



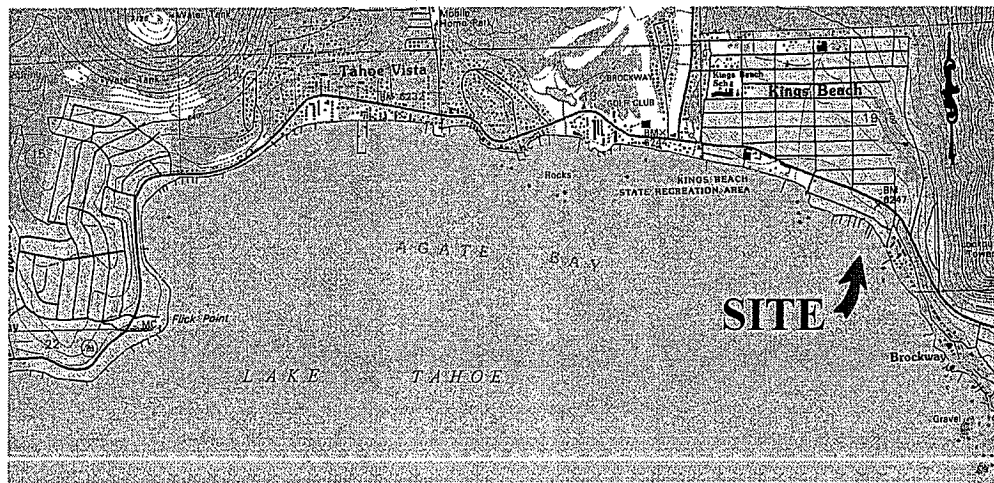
SITE

APN 090-141-020



NO SCALE

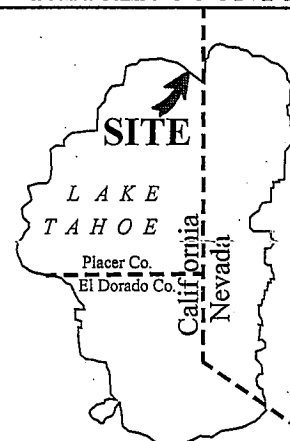
LOCATION



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 5624.1
GANNON
APN 090-141-020
GENERAL LEASE -
RECREATIONAL USE
PLACER COUNTY



MJJ 05/26/15